



REGULATORY SERVICES COMMITTEE

17 December 2015

REPORT

Subject Heading:

P1454.15: Lodge Farm Park, Main Road/Carlton Road, Romford

Proposal to build a 7 1/4" gauge railway in Lodge Farm Park with a 2.4m x 12.2m railway store building (Application received 4 October 2015).

Ward

Romford Town

Report Author and contact details:

**Helen Oakerbee
Planning Manager
helen.oakerbee@havering.gov.uk
01708 432800**

Policy context:

**Local Development Framework
The London Plan
National Planning Policy Framework**

Financial summary:

None

The subject matter of this report deals with the following Council Objectives

Havering will be clean and its environment will be cared for	<input type="checkbox"/>
People will be safe, in their homes and in the community	<input type="checkbox"/>
Residents will be proud to live in Havering	<input checked="" type="checkbox"/>

SUMMARY

The proposal is for the construction of a miniature railway within Lodge Farm Park, Gidea Park. The railway will be run by a railway club and operated for both

private and public use. The proposal is considered to be acceptable in all material respects and it is recommended that planning permission is granted.

RECOMMENDATIONS

That planning permission be granted subject to the following conditions:

1. Time Limit
The development to which this permission relates must be commenced not later than three years from the date of this permission.

Reason:-

To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. Accordance with Plans

The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans (as set out on page one of this decision notice).

Reason:-

The Local Planning Authority consider it essential that the whole of the development is carried out and that no departure whatsoever is made from the details approved, since the development would not necessarily be acceptable if partly carried out or carried out differently in any degree from the details submitted. Also, in order that the development accords with Development Control Policies Development Plan Document Policy DC61.

3. Hours of Operation

The miniature railway hereby approved shall not be operated, nor any routine maintenance undertaken, outside the hours of 09:00-17:00 hours Monday to Sunday with the prior consent in writing of the Local Planning Authority.

Reason:-

To enable the Local Planning Authority to retain control in the interests of amenity, and in order that the development accords with Development Control Policies Development Plan Document Policy DC61.

4. Contaminated Land

a) If, during development, contamination not previously identified is found to be present at the site, then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until a remediation strategy detailing how this unsuspected contamination shall be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be implemented as approved.

b) Following completion of the remediation works as referred to in a) above, a 'Verification Report' must be submitted demonstrating that the works have been carried out satisfactorily and remediation targets have been achieved.

Reason:-

To ensure that any previously unidentified contamination found at the site is investigated and satisfactorily addressed in order to protect those engaged in construction and occupation of the development from potential contamination.

5. Removal and Remediation

Upon final cessation of the operation of railway, the track, storage container and all associated structures and paraphernalia shall be entirely removed from the site and the land reinstated to its former condition in accordance with details to be agreed by the Local Planning Authority, in conjunction with the LB Havering Parks Service.

Reason:-

To ensure that the condition and appearance of Lodge Farm Park is maintained, in the interests of amenity and in order that the development accords with Development Control Policies Development Plan Document Policy DC61.

6. Use of Locomotives

Before any locomotive is allowed to operate on the railway it must achieve the following standard: Noise levels expressed as the equivalent continuous sound level LAeq (5 minutes) when measured at a distance of five metres from the locomotive shall not exceed 85dB. Any assessment undertaken shall include both the locomotive idling and pulling away.

Reason:-

To prevent noise nuisance to nearby residents and in order that the development accords with Development Control Policies Development Plan Document Policy DC61.

7. Fuels

All fuels to be used in the operation of the steam trains shall be smokeless fuels that are suitable for use within a smokeless zone.

Reason:-

In the interests of amenity and in order that the development accords with Development Control Policies Development Plan Document Policy DC61

INFORMATIVES:

1. The applicant is advised that the construction and operation of the railway will be required to comply with the guidance set out in the Britains Great Little Railways (BGLR) Miniature, Narrow Gauge Railway Safety Policy and Standards, as set out in Health and Safety Guidance HSG216 (Passenger-carrying miniature railways – Guidance on Safe Practice) at all times.
2. Statement Required by Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015: No significant problems were identified during the consideration of the application, and therefore it has been determined in accordance with paragraphs 186-187 of the National Planning Policy Framework 2012.

REPORT DETAIL

1. **Site Description**

- 1.1 The application site is sited within Lodge Farm Park, which is located to the south side of Main Road and runs in a linear fashion in a southerly direction towards Carlton Road. There is vehicular access to the park, leading to car parking areas, at both the Main Road and Carlton Road entrances.
- 1.2 This is a well-established park, which includes children's play area and outdoor fitness area, tennis courts, a pavilion and bowling green. There are residential dwellings which back on to both the eastern and western site boundaries.

2. **Description of Proposal**

- 2.1 The proposal is to build a 7 ¼" gauge miniature railway within Lodge Farm Park. This comprises the laying of a track that runs through the park in a north/south direction, with a loop at either end. The southerly end of the track would start within the bowls green complex, adjacent to the bowls club house and a former, un-used bowling green. It would exit the bowling green compound in its north-westerly corner and extend northwards towards the outdoor gym equipment in the centre of the park, before

looping back round and down again. The track laying would require minimal excavation, approximately 185mm, to lay a crushed stone and ballast base, which is capable of removal when the tracks are no longer required.

- 2.2 The proposal includes the provision of a storage container, which would be sited within the existing bowling green complex. The building measures 12m long and 2.4m deep and would be used to store equipment, primarily the locomotives. The building will have a pitched roof and be clad in corrugated tin and painted in historically accurate colours to reflect traditional railway buildings. There are two 'station' areas, demarcated by paving, where some low level picket fencing will be erected.
- 2.3 The railway will be run as a ride-on facility for the public and for private running. It is intended initially that it will primarily be available on Sunday afternoons during the summer, although other sessions may be available depending on demand and sufficient volunteers to operate the railway.

3. **History**

- 3.1 None relevant to this application.

4. **Consultation/Representations**

- 4.1 Neighbour notification letters were sent to over 200 local addresses and site notices were also erected within the park. 26 letters of representation have been received objecting to the proposal on the following grounds:

- Layout will take up too much of the park
- Spoils the existing character of the park
- Storage building will be an eyesore and seems unnecessarily large
- Noise levels
- Need to ensure footpath/cycle path remains safe
- Security considerations/potential for vandalism
- Will attract more anti-social behaviour
- Parking issues
- Health and safety concerns
- Impact on trees and shrubs
- Funding for maintenance
- Overlooking and loss of privacy
- Impact on nature conservation and wildlife
- Insufficient time to comment on application
- Increased litter
- Park has insufficient amenities to support this proposal
- Who will restore the park afterwards
- Pre-application consultation with residents doesn't reflect current proposals
- Smoke pollution
- Impedes access to the outdoor gym and prevents outdoor sporting activity

In addition 12 letters of support have been received commenting as follows:

- will increase visitor numbers to the park
- cheap attraction for visiting families
- adds to park amenities
- encourages more people to enjoy the outdoors
- will encourage school children in science, technology and maths

The Friends of Raphael & Lodge Farm Parks also support the application on the grounds that it would be a good new amenity for families and children, as well as facilities for special needs users and education opportunities for local schools. They comment that work has been done pre-application, including running temporary railway rides earlier in the year for feedback.

4.2 Highways raise no objection to the proposals but wish to ensure the treatment of the footway/cyclepath is suitable.

4.3 Environmental Health raise no objections but suggest a precautionary approach to potential for land contamination.

5. **Relevant Policy**

5.1 The National Planning Policy Framework is a material planning consideration.

5.2 Policies 3.16 (protection and enhancement of social infrastructure), 3.19 (sports facilities), 6.9 (cycling), 6.10 (walking) 6.13 (parking), 7.4 (local character), 7.5 (public realm), 7.18 (protecting open space and addressing deficiency), 7.19 (bio-diversity and access to nature), 7.21 (trees and woodland) of the London Plan are relevant.

5.3 Policies C7, CP9, CP16, CP17, DC18, DC20, DC32, DC33, DC60, DC61 and DC63 of the LDF Core Strategy and Development Control Policies Development Plan Document are a material consideration.

.6. **Staff Comments**

6.1 The issues arising from this application are the acceptability of the development in principle, the impact on the character, amenity and quality of Lodge Farm Park, the impact on residential amenity and parking and highway issues.

6.2 **Principle of Development**

6.2.1 The application will provide an additional recreational facility within Lodge Farm Park. Policy CP7 generally supports access to informal and formal recreation and a range of leisure opportunities and it is considered the addition of the miniature railway is likely to encourage greater use of the park.

6.2.2 Policy DC18 seeks the retention and enhancement of public open space and recreation, sport and leisure facilities. The proposal will not result in the loss of any existing park facilities but it is judged will enhance the range of attractions on offer. The Council's Parks Service are supportive in principle of the proposals and have liaised with the applicant to agree on a route for the railway that is considered to have an acceptable impact on the park and other park users. The Council will retain responsibility for all landscaping maintenance, including any cutting back of trees, hedges, within the park and it is not therefore considered that the proposal will lead to any adverse impact on existing landscape features within the park. It is therefore considered that there is no, in principle, objection to the proposal in terms of its siting within a park.

6.3 Impact on Character and Amenity of the Park

6.3.1 As noted above, the route of the proposed railway track has been agreed in consultation with the Parks Service. The route has been considered taking into account the location of other facilities within the park, such as the play area and outdoor gym, the relationship with existing landscaping, the proximity of neighbouring residential property and safety considerations. The main 'station' end of the railway will be located within the compound around the former bowling green and seen against the backdrop of the bowls clubhouse. As such, it will be well screened against wider views by existing trees and bushes which surround the compound. The proposed storage container will be located within this compound, which mitigates its visual impact within the wider park area. The storage container will also be externally dressed to add pitched roof detailing and a corrugated tin cladding that will be painted in historically accurate colours relating to railway heritage. The visual impact of the storage container is therefore judged to be acceptable.

6.3.2 The track itself is laid on the ground with relatively minor excavation to create a sub-base. Given its low profile and the route followed by the track Staff consider that the track has an acceptable visual impact and is not materially harmful to the open character and pleasant landscaped aspect of the park. Any cutting back or maintenance of trees and bushes would be undertaken by the Parks Service, as at present, so would be undertaken in a controlled manner with due regard to maintaining the visual amenity of the park.

6.3.3 A second 'platform' will be created adjacent to the outdoor gym equipment. This would comprise only some low level paving and some sections of picket fencing to the station areas, with a knee rail, where required. The fencing proposed is low level and not extensively used and it is not judged this would detract from the open aspect of the wider park environment. The proposal is not considered to adversely affect the functioning or use of other facilities within the park, including the use of the children's play area or the outdoor fitness gym.

6.4 Impact on Amenity

- 6.4.1 The purpose of the railway is primarily to act as an attraction to users of the park, expected mainly to be families with young children, although there would also be some private use by miniature railway enthusiasts. The park is a public amenity and, as such, it is judged that residents living adjacent to the park may expect levels of noise and activity commensurate with a public area. The proposed railway is not expected to result in levels of general activity that would be beyond that reasonably expected within a public park.
- 6.4.2 The railway operating hours would be largely seasonal and would mainly be limited to the weekend. At present, operation on Sunday afternoon during summer is anticipated, although it is considered this could increase if the venture were successful. Operating hours largely depend on the popularity of the attraction, weather conditions and the availability of volunteers. Staff consider that it would be reasonable to limit the hours of operation to daytime use to ensure a reasonable balance between use of the facility and the amenity of adjoining occupiers. There will also be maintenance requirements, which it is considered could be accommodated within stipulated operating times. Staff have considered noise levels arising from the operation of the railway. The use of electric and steam locomotives will result in limited additional noise impacts within the park, although there is potential for greater disturbance if petrol locomotives are used. A condition could be imposed requiring all locomotives to be used to meet acceptable noise standards, in accordance with advice given by Environmental Health. Consideration has also been given to the likely impacts of associated noise, primarily through the blowing of whistles. Staff consider it would not be reasonable to prevent their use altogether as it is beneficial to the safe operation of the railway and is used to signal when the ride is starting and ending and to warn other park users if need be. It is also noted that the applicant intends to use reasonable endeavours to use them only for purposes of safety and avoid excessive use. Staff do not consider there would be unreasonable noise from the use of whistles. It is noted that the Council, as landowner, would maintain overall control of the site and would be able to curtail the operation of the railway if it was resulting in undue harm to neighbouring amenity. Steam trains that are running from the site will only use fuels that are appropriate for use in smokeless zones.
- 6.4.3 The start/end point of the route is within the compound of the former bowling green, located towards the southern end of the park. The track exits the compound, which is enclosed by metal railings, in its north-western corner and the track crosses the existing footway/cycle path and runs along the western side of the footpath before looping round the outdoor gym and running back. In terms of the relationship with neighbouring properties that back on to the park, the track will be around 7m from the western boundary of the park at its closest point. The railway will also be separated from the nearest properties in Kingston Road by Blacks Brook, which creates a further buffer from the track, as does

landscaping and boundary treatments. It is judged therefore that the proposal would not result in a material loss of privacy or amenity to residents in Kingston Road.

- 6.4.4 There are a number of residential properties in Lodge Avenue that back on to the eastern boundary of the site, including the area of the former bowling green. The storage building will be in the region of 7m from the eastern site boundary, track distance will vary between around 2m at the closest point, increasing to a distance of around 10m away. Staff do not consider, as a matter of judgement, that the operation of the railway would give rise to material levels of noise and disturbance or impact on privacy that is beyond what could be reasonably be expected from a public recreational area. The Lodge Avenue houses back on to a park and it is reasonable to expect some levels of noise and activity from such a relationship. The railway will be controlled and operated by the railway club and its use can be restricted to reasonable hours so that impact on amenity is not unduly harmful. Environmental Health have not raised any objection to the proposal on noise grounds. The compound will remain secure and lockable when the railway is not in use, thereby preventing any material harm to security.
- 6.4.5 Consideration has been given to the need for security within the site. In part, this is the reason for providing a secure storage container for locomotives and associated equipment. This is also partly the reason for siting this within the bowling green compound as the gates to the compound are lockable and will be secured, as they are now, when the facility is not in use. Staff are satisfied that the proposal will not result in any increased security risk within the park.

6.5 Parking and Highways

- 6.5.1 Lodge Farm Park is served by two car parks, one at the northern and one at the southern end of the site. The proposed miniature railway will enhance the attractions available at the park and so could result in increased visitors to the park when the railway is in operation. The park does provide parking facilities and not all visitors to the park are expected to visit by car.
- 6.5.2 Highways have raised no objection to the proposals in terms of car parking and it is considered there are no material grounds to refuse the proposal on the grounds of increased parking demand as there is no evidence this would result in harm to the functioning of the highway.
- 6.5.3 The route of the proposed track will traverse the existing footpath/cycle way. Parks have advised that they would risk assess the installation to ensure that the track is laid in a safe manner and does not present a hazard to cyclists or pedestrians.

6.6 Other Issues

- 6.6.1 The proposed railway will need to be constructed and operated in accordance with accepted industry standards. To this end, it is required by Parks that the miniature railway complies with the Britains Great Little Railways (BGLR) Narrow Gauge Railway Safety Policy and Standards and relevant Health and Safety Guidance. Staff consider that this would be a matter for the Parks Service to ensure that the construction and operation is compliant with these standards but it is considered that an informative could be included to make the operator aware of these requirements.
- 6.6.2 The proposal is not considered to have any material contaminated land implications owing to the low level of excavation required but a condition will be imposed to require a precautionary approach to excavation works.
- 6.6.3 In terms of future maintenance, the operators will be responsible for day to day maintenance of the facility, which will need to accord with the relevant safety standards. The Parks Service however retain overall control of the park and it can be ensured that the track is removed and the park returned to its former condition if the railway ceases to operate in the future.

7. Conclusion

- 7.1 The proposed miniature railway will add to the range of facilities available in Lodge Farm Park and further encourage use of the park, as such it is judged to be acceptable in principle. Staff consider the proposal would not materially harm the character, appearance or function of the park and that it would have an acceptable relationship with neighbouring residential amenity. Controls can be imposed through condition to prevent undue harm to amenity and overall control of the management of the park and the manner of operation of the railway will remain with the Council's Parks Service. Having regard to these factors, the proposal is considered to be acceptable and it is recommended that planning permission is granted.

IMPLICATIONS AND RISKS

Financial Implications and risks:

None arising from this application.

Legal Implications and risks:

The application relates to a site that is owned and managed by the London Borough of Havering. This is not however a material factor in the consideration of this application and does not affect the assessment of the proposals.

Human Resource Implications:

None.

Equalities and Social Inclusion Implications:

The proposed facility will provide a facility for all members of the community and is intended to be operated in a manner that complies with relevant equal opportunities legislation.

BACKGROUND PAPERS

1. Planning Application P1454.15, received 4 October 2015.